



Journal of the Senate

State of Indiana

114th General Assembly

Second Regular Session

Twenty-seventh Meeting Day

Thursday Morning

March 2, 2006

The Senate convened at 10:06 a.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

The Senate Reader was directed to read the previously read section of the District Court's Order in *Hinrichs v. Bosma*, as set out in full in the Senate Journal of January 9, 2006.

Silent prayer followed the reading.

The Pledge of Allegiance to the Flag was led by the President of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Becker	Lubbers
Bowser	Lutz
Bray	Meeks
Breaux	Merritt
Broden	Miller
Craycraft	Mishler
Delph	Mrvan
Dillon	Nugent
Drozda	Paul
Ford	Riegsecker
Gard	Rogers
Garton	Simpson
Harrison	Sipes
Heinold	Skinner
Hershman	Smith <input checked="" type="checkbox"/>
Howard	Steele
Hume	Tallian
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 276: present 49; excused 1. [Note: A ☒ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills 127, 172, 231, and 303 with amendments and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING

Senate Concurrent Resolution 37

Senator Lubbers called up Senate Concurrent Resolution 37 for second reading. The resolution was read a second time by title and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Messer.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 284:

Conferees: Wyss, Chair and Broden

Advisors: Miller and Breaux

GARTON

Date: 3/1/2006

Time: 7:34 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 193:

Conferees: Bray, Chair and Hume

GARTON

Date: 3/1/2006

Time: 7:35 p.m.

Report adopted.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1008

Senator Meeks called up Engrossed House Bill 1008 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation and to make an appropriation.

SENATE MOTION (Amendment 1008-38)

Madam President: I move that Engrossed House Bill 1008 be recommitted to a Committee of One, consisting of Senator Meeks, with specific instruction to amend said bill as follows:

Page 12, line 42, delete "greater" and insert "lesser".

(Reference is to EHB 1008 as reprinted March 2, 2006.)

MEEKS

Motion prevailed.

COMMITTEE REPORT

Madam President: Your Committee on Rules and Legislative Procedure, to which was referred the Motion to recommit Engrossed House Bill 1008 to a Committee of One, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said Motion be adopted.

GARTON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: Your Committee of One, to which was referred Engrossed House Bill 1008, begs leave to report that said Bill has been amended as directed.

MEEKS, Chair

Report adopted.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 277: yeas 29, nays 20. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 46

Senate Concurrent Resolution 46, introduced by Senators Hershman and Harrison:

A CONCURRENT RESOLUTION congratulating the Clinton Central FFA Team on their outstanding performance in FFA competition.

Whereas, Under the direction of Roger Carr, the Clinton Central FFA Team has competed in numerous FFA events nationwide;

Whereas, At the 2005 FFA State Championship competition at Purdue University, the Clinton Central FFA Team captured three State Championship Titles, including:

- 1. Discovery Degree Demonstration – Kayla Mossom and Brooke Leckrone;*
- 2. Agriculture Mechanics Demonstration – Andrew Ferrel and Jared Stowers; and*
- 3. Crops Career Development Event – Neal Leckrone, Tyler Peas, Brant Smith, and Travis Schimmel;*

Whereas, In September 2005, the Indiana Skill-a-thon competition took place in Lebanon. Jake Wilson, Collin Barnett, Dillion Evans,

and Taylor Ferrel won the State Championship in the Livestock Skill-a-thon competition;

Whereas, The Clinton Central FFA Team traveled to Baltimore, Maryland, to compete in the 2005 Eastern Nationals competition. The team won national honors when Brent Dunham, Jared Stowers, Clayton Stowers, and Tyler Peas were named the National Champion Livestock Judging Team;

Whereas, Clinton Central received national honors again when two teams were named the Reserve National Champion Livestock Judging Team at different competitions;

Whereas, Team members Troy Walker, Brant Smith, Alyssa Smith, and Courtney Smith won this title at the 2005 American Royal competition in Kansas City, Missouri, while team members Troy Walker, Jared Stowers, Bradley Baker, and Austin Walker won the title for the same category at the 100th National Western Stock Show in 2005; and

Whereas, In addition, the Clinton Central FFA Team became 2006 champions when the team, represented by Kayla Mossom and Brooke Leckrone, won the Meats Judging contest at Purdue University: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Clinton Central FFA Team for their tremendous accomplishments in State and National FFA competition.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Clinton Central Superintendent, Philip Boley; Clinton Central Principal, Ronald Dunn; FFA Advisor, Roger Carr; and each member of the Clinton Central FFA Team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Buck.

1:08 p.m.

The Chair declared a recess until the fall of the gavel.

Recess

The Senate reconvened at 2:37 p.m., with the President of the Senate in the Chair.

MESSAGE FROM THE PRESIDENT PRO TEMPORE OF THE INDIANA STATE SENATE

Madam President and Members of the Senate: I have on March 2, 2006, signed Senate Enrolled Act 232.

ROBERT D. GARTON
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 2, 2006, signed Senate Enrolled Act 236.

ROBERT D. GARTON
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 2, 2006, signed Senate Enrolled Act 246.

ROBERT D. GARTON
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 2, 2006, signed Senate Enrolled Act 277.

ROBERT D. GARTON
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 2, 2006, signed Senate Enrolled Act 332.

ROBERT D. GARTON
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 2, 2006, signed Senate Enrolled Act 373.

ROBERT D. GARTON
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on March 2, 2006, signed Senate Enrolled Act 384.

ROBERT D. GARTON
President Pro Tempore

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate

Bill 374 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Joint Resolution 2 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills 342, 345, 349, 353, 355, 359, 362, 369, 370, and 382 with amendments and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Breaux be added as cosponsor of Engrossed House Bill 1257.

WALTZ

Motion prevailed.

**ENGROSSED HOUSE BILLS
ON THIRD READING**

Engrossed House Bill 1016

Senator Bray called up Engrossed House Bill 1016 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 278: yeas 44, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1018

Senator Hershman called up Engrossed House Bill 1018 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning water and utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 279: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1029

Senator Kenley called up Engrossed House Bill 1029 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 280: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that, pursuant to Senate Rule 33(c), the following technical corrections are to be made to Engrossed House Bill 1099.

Page 13, line 2, after "person" delete "v".

Page 13, line 10, after "[EFFECTIVE UPON PASSAGE]" delete "1".

(Reference is to EHB 1099 as reprinted March 2, 2006.)

GARTON

Report adopted.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1099

Senator Weatherwax called up Engrossed House Bill 1099 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 281: yeas 31, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1101

Senator Hershman called up Engrossed House Bill 1101 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning commercial law.

SENATE MOTION

(Amendment 1101-7)

Madam President: I move that Engrossed House Bill 1101 be

recommitted to a Committee of One, consisting of Senator Hershman, with specific instruction to amend said bill as follows:

Page 1, line 1, delete "4-1-12" and insert "4-33-5-1.5".

Page 1, line 2, delete "CHAPTER" and insert "SECTION".

Page 1, delete lines 4 through 6.

Page 1, line 7, delete "Sec. 2." and insert "**Sec. 1.5**".

Page 1, line 8, delete "gaming".

Page 2, line 5, after "of" insert "**an applicant or**".

Page 2, between lines 6 and 7, begin a new paragraph and insert: "SECTION 2. IC 4-33-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. Notwithstanding any other law, upon written request from a person, the commission shall provide the following information to the person:

(1) **Except as provided in section 1.5 of this chapter**, the information provided under section 1 of this chapter concerning a licensee or an applicant.

(2) The amount of the wagering tax and admission tax paid daily to the state by a licensed owner or an operating agent.

(3) A copy of a letter providing the reasons for the denial of an owner's license or an operating agent's contract.

(4) A copy of a letter providing the reasons for the commission's refusal to allow an applicant to withdraw the applicant's application."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1101 as reprinted March 2, 2006.)

HERSHMAN

Motion prevailed.

COMMITTEE REPORT

Your Committee on Rules and Legislative Procedure, to which was referred the Motion to recommit Engrossed House Bill 1101, to a Committee of One, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said Motion be adopted.

GARTON

Report adopted.

COMMITTEE REPORT

Madam President: Your Committee of One, to which was referred Engrossed House Bill 1101, begs leave to report that said Bill has been amended as directed.

HERSHMAN

Report adopted.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 282: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that, pursuant to Senate Rule 33(c), the following technical corrections are to be made to Engrossed House Bill 1114.

Page 1, delete lines 1 through 2, begin a new paragraph and insert: "SECTION 1. IC 27-7-3.5-34 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE".

Page 1, line 3, reset in bold "Sec."

Page 1, line 3, delete "32." and insert "**34.**".

Page 1, line 3, reset in bold "(a) The title insurance enforcement fund is".

Page 1, reset in bold lines 4 through 16.

Page 2, line 2, delete "(e) (f)" and insert "**(f)**".

Page 2, line 2, reset in bold "The following shall be deposited in the title insurance".

Page 2, reset in bold line 3.

Page 2, line 6, delete "(1)".

Page 2, line 6, reset in bold "All fines, monetary penalties, and costs imposed upon".

Page 2, reset in in bold lines 7 through 8.

Page 2, line 9, delete "(2)".

Page 2, line 9, reset in bold "Other amounts remitted to the commissioner or the".

Page 2, reset in bold lines 10 through 11.

(Reference is to EHB 1114 as reprinted March 2, 2006.)

GARTON

Report adopted.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1114

Senator Steele called up Engrossed House Bill 1114 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 283: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1123

Senator Becker called up Engrossed House Bill 1123 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 284: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1136

Senator Long called up Engrossed House Bill 1136 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 285: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1155

Senator Long called up Engrossed House Bill 1155 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 286: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1156

Senator Bray called up Engrossed House Bill 1156 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 287: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1158

Senator Bray called up Engrossed House Bill 1158 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 288: yeas 43, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1172

Senator Miller called up Engrossed House Bill 1172 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 289: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

SENATE MOTION

Madam President: I move that Senator Drozda be removed as second sponsor of Engrossed House Bill 1172.

DROZDA

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be removed as cosponsor of Engrossed House Bill 1172.

DELPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Miller be removed as sponsor of Engrossed House Bill 1172 and that Senator Drozda be substituted therefor.

MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as second sponsor of Engrossed House Bill 1172.

DROZDA

Motion prevailed.

**ENGROSSED HOUSE BILLS
ON THIRD READING**

Engrossed House Bill 1176

Senator Nugent called up Engrossed House Bill 1176 for third

reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 290: yeas 46, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1212

Senator Ford called up Engrossed House Bill 1212 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government and natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 291: yeas 42, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1214

Senator Long called up Engrossed House Bill 1214 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 292: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1220

Senator Meeks called up Engrossed House Bill 1220 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 293: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1227

Senator Nugent called up Engrossed House Bill 1227 for third

reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 294: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1235

Senator Miller called up Engrossed House Bill 1235 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 295: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1239

Senator Long called up Engrossed House Bill 1239 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 296: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 5.

STEELE

Roll Call 297: yeas 48, nays 1. Motion prevailed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1257

Senator Waltz called up Engrossed House Bill 1257 for third

reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 298: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1259

Senator Steele called up Engrossed House Bill 1259 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 299: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1261

Senator Lubbers called up Engrossed House Bill 1261 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 300: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1281

Senator Lubbers called up Engrossed House Bill 1281 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 301: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1285

Senator Heinold called up Engrossed House Bill 1285 for third

reading:

A BILL FOR AN ACT concerning renewable energy.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 302: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1306

Senator Long called up Engrossed House Bill 1306 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 303: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1314

Senator Lawson called up Engrossed House Bill 1314 for third reading:

A BILL FOR AN ACT concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 304: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1315

Senator Landske called up Engrossed House Bill 1315 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 305: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1329

Senator Miller called up Engrossed House Bill 1329 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 306: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1338

Senator Lubbers called up Engrossed House Bill 1338 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 307: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1339

Senator Merritt called up Engrossed House Bill 1339 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 308: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1362

Senator Delph called up Engrossed House Bill 1362 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 309: yeas 44, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

5:04 p.m.

The Chair declared a recess until the fall of the gavel.

Recess

The Senate reconvened at 5:47 p.m., with the President of the Senate in the Chair.

**MOTIONS TO DISSENT
FROM HOUSE AMENDMENTS****SENATE MOTION**

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 345 and that a conference committee be appointed to confer with a like committee of the House.

MEEKS

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 202 and that a conference committee be appointed to confer with a like committee of the House.

RIEGSECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Paul and Howard be added as cosponsors of Engrossed House Bill 1315.

LANDSKE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lutz be added as cosponsor of Engrossed House Bill 1396.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Landske and Paul be added as cosponsors of Engrossed House Bill 1338.

LUBBERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Becker and Wyss be added as cosponsors of Engrossed House Bill 1281.

LUBBERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator R. Young be added as cosponsor of Engrossed House Bill 1285.

HEINOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Zakas, Nugent, Wyss, Paul, and Craycraft be added as cosponsors of Engrossed House Bill 1259.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator R. Young be added as cosponsor of Engrossed House Bill 1123.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as cosponsor of Engrossed House Bill 1176.

NUGENT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as cosponsor of Engrossed House Bill 1016.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Heinold and Craycraft be added as cosponsor of Engrossed House Bill 1176.

NUGENT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Landske, Wyss, Drozda, Broden, Miller, Bray, and Mrvan be added as cosponsors of Engrossed House Bill 1155.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Craycraft be added as cosponsor of Engrossed House Bill 1315.

LANDSKE

Motion prevailed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 46 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE PRESIDENT PRO TEMPORE OF THE INDIANA STATE SENATE

Madam President and Members of the Senate: I have on March 2, 2006, signed Senate Enrolled Act 5.

ROBERT D. GARTON
President Pro Tempore

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1397

Senator Lawson called up Engrossed House Bill 1397 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 310: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1418

Senator Heinold called up Engrossed House Bill 1418 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 311: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1420

Senator Gard called up Engrossed House Bill 1420 for third

reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 312: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 202:

Conferees: Riegsecker, Chair and Sipes

GARTON
Date: 3/2/2006
Time: 4:06 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 345:

Conferees: Meeks, Chair and Simpson

Advisors: Miller and Hume

GARTON
Date: 3/2/2006
Time: 3:38 p.m.

Report adopted.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 1 and that a conference committee be appointed to confer with a like committee of the House.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 305 and that a conference committee be appointed to confer with a like committee

of the House.

ROGERS

Motion prevailed.

MESSAGE FROM THE GOVERNOR

Madam President and Members of the Senate: On March 2, 2006, I signed the following enrolled act into law: SEA 5.

MITCHELL E. DANIELS, JR.
Governor

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 1:
Conferees: M. Young, Chair and Breaux

GARTON
Date: 3/2/2006
Time: 6:02 p.m.

Report adopted.

**MOTIONS TO DISSENT
FROM HOUSE AMENDMENTS**

SENATE MOTION

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 340 and that a conference committee be appointed to confer with a like committee of the House.

WYSS

Motion prevailed.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 340:

Conferees: Wyss, Chair and Rogers

GARTON
Date: 3/2/2006
Time: 6:14 p.m.

Report adopted.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 305:

Conferees: M. Young, Chair and Rogers

GARTON
Date: 3/2/2006
Time: 6:18 p.m.

Report adopted.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, March 6, 2006.

GARTON

Motion prevailed.

The Senate adjourned at 6:19 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate